

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IRW 1632  
image

Applicant: Cibelli et al.  
Serial No.: 09/467,076  
Filed: December 20, 1999

Examiner: Joseph T. Woitach  
Group Art Unit: 1632  
Docket: 60141.35usi4

Confirmation  
No.:

Notice of Allow.  
Date:

Due Date:

Title: EMBRYONIC OR STEM-LIKE CELL LINES PRODUCED BY CROSS SPECIES NUCLEAR  
TRANSPLANTATION AND METHODS FOR ENHANCING EMBRYONIC  
DEVELOPMENT BY GENETIC ALTERATION OF DONOR CELLS OR BY TISSUE  
CULTURE CONDITIONS

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop IDS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 6, 2005.

By: Susan Woolcott  
Name: Susan Woolcott

Mail Stop IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**23552**

PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 8 Reference(s)
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.  
P.O. Box 2903, Minneapolis, MN 55402-0903  
612.332.5300

By: Michael T. Lukon  
Name: Michael T. Lukon  
Reg. No.: 48,164  
MTL:ssw

S/N 09/467,076

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Cibelli et al.	Examiner:	Joseph T. Woitach
Serial No.:	09/467,076	Group Art Unit:	1632
Filed:	December 20, 1999	Docket No.:	60141.0035usi4
Title:	EMBRYONIC OR STEM-LIKE CELL LINES PRODUCED BY CROSS SPECIES NUCLEAR TRANSPLANTATION AND METHODS FOR ENHANCING EMBRYONIC DEVELOPMENT BY GENETIC ALTERATION OF DONOR CELLS OR BY TISSUE CULTURE CONDITIONS		

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By:

Name: Susan Woolcott

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))**

Mail Stop IDS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an International Search Report mailed 10/21/2004.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

**Certification Under 37 C.F.R. §1.97(e)(1)**

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement.

In accordance with 37 C.F.R. §1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.



Respectfully submitted

MERCHANT & GOULD P.C.  
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A handwritten signature in black ink, appearing to read "Michael T. Lukon". The signature is fluid and cursive, written over a horizontal line.

Michael T. Lukon  
Reg. No. 48,164

Date: January 6, 2005

MTL:ssw

FORM 1449\*

## INFORMATION DISCLOSURE STATEMENT

IN AN APPLICATION

(Use several sheets if necessary)

Docket Number:

60141.35usi4

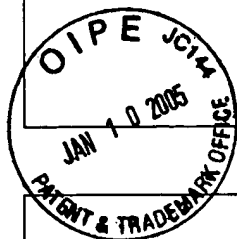
Application Number:

09/467,076

Applicant: Cibelli et al.

Filing Date: December 20,  
1999

Group Art Unit: 1632



## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	99/45100	09-10-1999	WO				
	01/19977	03-22-2001	WO				
	01/00793	01-04-2001	WO				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	LANZA, R.P. et al., "Human Therapeutic Cloning," Nature Medicine, vol. 5, no. 9, September 1999, pp. 975-977.
	MEIRELLES FV, SMITH LC, "Mitochondrial genotype segregation during preimplantation development in mouse heteroplasmic embryos," Genetics, vol. 148, no. 2-98, February 1998, pp 877-883.
	BLERKOM VAN J. et al., "Mitochondrial transfer between oocytes: potential applications of mitochondrial donation and the issue of heteroplasmy," Human Reproduction, vol. 13, no. 10, 1998, pp. 2857-2868.
	BORDIGNON V. et al., "Telophase enucleation: an improved method to prepare recipient cytoplasts for use in bovine nuclear transfer," Molecular Reproduction and Development, vol. 49, January 1998, pp. 29-36.
	KARNIKOVA L, URBAN F, MOOR R, FULKA J JR, "Mouse oocyte maturation: the effect of modified nucleocytoplasmic ratio," Reprod Nutr Dev., vol. 38, no. 6, December 1998, pp. 665-670.

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PATENT TRADEMARK OFFICE

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.